

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

ZACHARY HUNTER,

Plaintiff,

v.

REDHAWK NETWORK SECURITY, LLC,

Defendant.

Civ. No. 6:17-cv-0962-JR

ORDER

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MCSHANE, Judge:

Magistrate Judge Jolie A. Russo filed a Findings and Recommendation (ECF No. 33), and the matter is now before this court. *See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72.* Plaintiff filed objections to the Findings and Recommendation. Accordingly, I have reviewed the file of this case *de novo*. *See 28 U.S.C. § 636(b)(1)(c); McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9<sup>th</sup> Cir. 1981). I find no error and conclude the report is correct. The report correctly analyzes the five factors of the “arms-of-the-tribe” analysis to conclude that Defendant is not an “arm-of-the-tribe.” Magistrate Judge Russo’s Findings and Recommendation (ECF No. 33) is adopted. Defendant’s motion to dismiss for lack of subject matter jurisdiction is DENIED.

IT IS SO ORDERED.

DATED this 30<sup>th</sup> day of August, 2018.

/s/ Michael J. McShane

Michael McShane  
United States District Judge